

AMENDED IN ASSEMBLY MAY 14, 2012

AMENDED IN ASSEMBLY MARCH 26, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2383

Introduced by Assembly Member Ammiano

February 24, 2012

An act to amend Section ~~1810.5~~ 1808.51 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2383, as amended, Ammiano. Vehicles: ~~public confidential~~ records: access by certain *public* officials.

Existing law requires that the Attorney General, district attorneys, law enforcement agencies, city attorneys prosecuting specified misdemeanor actions, public defenders, and public defender investigators have access, including, but not limited to, telephone access, to specified records of the Department of Motor Vehicles.

~~This bill would additionally require that a city attorney of a city and county and his or her investigators have access to those records of the department.~~

Existing law requires a driver's license to bear a fullface engraved picture or photograph of the licensee and prohibits the department, unless requested by the licensee, from distributing or selling the licensee's picture or photograph or any information pertaining to the licensee's physical characteristics to any private individual, other than the licensee, or to any firm, copartnership, association, or corporation, except as specified.

This bill would authorize the department to provide copies of fullface engraved pictures or photographs of individuals directly to a city attorney of a city and county and his or her investigators for purposes of performing functions related to city and county operations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 1808.51 of the Vehicle Code is amended*
2 *to read:*

3 1808.51. Notwithstanding ~~Section~~ Sections 1808.5 and 12800.5,
4 *both of the Department following may obtain copies of fullface*
5 *engraved pictures or photographs of individuals directly from the*
6 *department:*

7 (a) *The Department of Real Estate, as a department, individually,*
8 *or through its staff, may obtain copies of fullface engraved pictures*
9 *or photographs of individuals directly from the Department of*
10 *Motor Vehicles, for the purposes of enforcing the Real Estate Law*
11 *(Part 1 (commencing with Section 10000) of Division 4 of the*
12 *Business and Professions Code) or the Subdivided Lands Law*
13 *(Chapter 1 (commencing with Section 11000) of Part 2 of Division*
14 *4 of the Business and Professions Code).*

15 (b) *The city attorney of a city and county and his or her*
16 *investigators for purposes of performing functions related to city*
17 *and county operations.*

18 ~~SECTION 1. Section 1810.5 of the Vehicle Code is amended~~
19 ~~to read:~~

20 ~~1810.5. The Attorney General, district attorneys, law~~
21 ~~enforcement agencies, city attorneys prosecuting misdemeanor~~
22 ~~actions under Section 41803.5 of the Government Code, a city~~
23 ~~attorney of a city and county and his or her investigators, public~~
24 ~~defenders, and public defender investigators shall have access,~~
25 ~~including, but not limited to, telephone access, to the records of~~
26 ~~the department. For purposes of obtaining a governmental entity~~
27 ~~requester code from the department, the office of a city attorney~~
28 ~~engaged in the prosecution of criminal actions and a city attorney~~
29 ~~of a city and county shall be deemed a law enforcement entity.~~

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